

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

KANAK ASTHANA DBA KIDS CORNER, SP 2014-HM-178 Appl. under Sect(s). 6-303 and 8-305 of the Zoning Ordinance to permit a home child care facility. Located at 1522 Goldenrain Ct., Reston, 20190, on approx. 1,664 sq. ft. of land zoned PRC. Hunter Mill District. Tax Map 18-1 ((4)) (15) 52. Mr. Hart moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on April 15, 2015; and

WHEREAS, the Board has made the following findings of fact:

1. The applicant is the owner of the land.
2. The Board has a favorable staff recommendation, and adopts the rationale in the staff report.
3. There are letters in support of this application.
4. This townhouse has two parking spaces assigned to it.
5. The townhouse is not on a busy street, but on a court.
6. These townhouses are less crowded than some of the others that have come before the Board.
7. The playground is right behind the townhouse.
8. There is no opposition to it.
9. The pickup and drop off will be safe in those parking spaces.
10. With the imposition of the development conditions with a modification, any impacts of the use will be satisfactorily mitigated.
11. The applicant has read, understands and concurs with the proposed development conditions, including the proposed addition.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

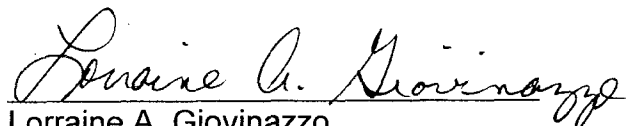
1. This approval is granted to the applicant, Kanak Asthana, only, and is not transferable without further action of the Board, and is for the location indicated on the application, 1522 Goldenrain Ct., and is not transferable to other land.
2. This special permit is granted only for the home child care use indicated on the plat entitled, "Property Report, Lot 52, Section 9, Block 15," prepared by John F. Veatch, L.S., on June 21, 2006, as revised by Kanak Asthana through August 15, 2014, and approved with this application, as qualified by these development conditions.
3. A copy of this Special Permit shall be posted in a conspicuous place on the property and be made available to all departments of the County of Fairfax during hours of operation.
4. The hours of operation of the home child care facility shall be limited to 7:30 a.m. to 6:30 p.m., Monday through Friday.
5. The dwelling that contains the child care facility shall be the primary residence of the applicant.
6. Excluding the applicant's own children, the maximum number of children on site at any one time shall be twelve.
7. A maximum of two nonresident employees, whether paid or not for their services, may be involved in the home child care facility, limited to the hours of 7:00 a.m. to 6:00 p.m.
8. There shall be no signage associated with the home child care facility.
9. The approval of this use is contingent on the applicant's continued right to utilize community parking spaces or other common amenities necessary for the operation of the home child care facility, including the ability to make the reserved parking spaces available for drop off and pick up of children during hours of operation.
10. All pickup and drop off of the children shall take place in the applicant's assigned parking spaces.
11. Any portions of the dwelling associated with the home child care facility that are used as a children's sleeping area shall be located in a room with proper emergency egress as defined by the Virginia Uniform Statewide Building Code.
12. The approval of the use is contingent upon maintenance of a state-issued family day home license that permits the number of children being cared for at the home child care facility.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall take effect upon adoption of a resolution of approval by the Board of Zoning Appeals.

Ms. Theodore seconded the motion, which carried by a vote of 7-0.

A Copy Teste:

A handwritten signature in cursive script, reading "Lorraine A. Giovinazzo". The signature is written in dark ink and is positioned above the printed name.

Lorraine A. Giovinazzo

Clerk to the Board of Zoning Appeals